



3738
PATENT

Case Docket No. MITRAL.1CP1D1
Date: November 10, 2003
Page 1

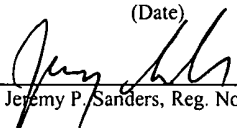
In re application of : Langberg, Jonathan J. ET AL.,
App. No. : 09/909,101
Filed : July 19, 2001
For : TRANSLUMINAL MITRAL
ANNULOPLASTY
Examiner : Urmi Chattopadhyay
Art Unit : 3738

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

November 10, 2003

(Date)


Jeremy P. Sanders, Reg. No. 47,916

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith in the above-identified application IS:

- (X) A Response to Restriction Requirement in 9 pages.
- (X) An extension of time to respond for 1 month is hereby requested.

Time Extension Fee:

- (X) one month (\$55 small entity)
- () two months (\$210 small entity)
- () three months (\$475 small entity)

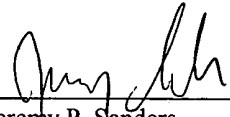
- (X) The present application qualifies for small entity status under 37 C.F.R. § 1.27.
- (X) Return prepaid postcard.
- (X) A check in the amount of \$55 is enclosed.
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

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MITRAL.1CP1D1

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Amend B
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PATENT 12-408

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Langberg, Jonathan J.
Appl. No. : 09/909,101
Filed : July 19, 2001
For : TRANSLUMINAL MITRAL
ANNULOPLASTY
Examiner : CHATTOPADHYAY, URMI

Group Art Unit 3738

RESPONSE TO RESTRICTION REQUIREMENT

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement dated September 09, 2003, Applicant elects (1)(b), (2)(a), (3)(a), and 4(c) for examination on the merits. Applicant acknowledges the Examiner's proper indication that claims 1 and 46 are generic. While the Restriction Requirement only enumerated subspecies (a) and (b) under species 4, Applicant believes that a subspecies 4(c) directed to an anchor wherein the anchor is a barb for piercing the wall of the vessel and corresponding with Claim 68, was inadvertently omitted from the restriction. Applicant has elected this omitted subspecies 4(c). Currently, claims 1-6, 23-25, 30-32, 34, 36-39, 44-49, 51-58, 62-65, 68-71, 73, 75, 76, and 81 read on the elected species within each group.

Please withdraw from examination non-elected claims 26-29, 33, 35, 40-43, 50, 59-61, 66, 67, 72, 74, 77-80.